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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,280	01/21/2004	Akihiro Kimura	03500.017840.	9839
5514	7590	02/28/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			RAABE, CHRISTOPHER M	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/760,280	Applicant(s) KIMURA ET AL.	
	Examiner Christopher M. Raabe	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/1/04</u> . | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 71 of figs 3,4, and 5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (USPN 2001/0039161).

With regard to claim 1,

Sato discloses an energization processing apparatus for performing, in a reduced-pressure atmosphere, an energization process on electric conductors which are placed on a

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substrate, comprising: a vessel which has an exhaust hole and which covers the electric conductors and one region on a surface of the substrate where the electric conductors are placed, to thereby create an airtight atmosphere between the substrate and the vessel (302,106,101 of fig 3); a first temperature adjusting mechanism for adjusting a temperature of the one region of the substrate (311, 312 of fig 3); and a second temperature adjusting mechanism for adjusting a temperature of the other region of the substrate (other 311,312 of fig 3).

With regard to claim 2,

Sato discloses an electron source manufacturing apparatus for energizing, in a reduced-pressure atmosphere, electric conductors which are placed on a substrate to form electron-emitting regions in the electric conductors, comprising: a vessel which has an exhaust hole and which covers the electric conductors and one region on a surface of the substrate where the electric conductors are placed, to thereby create an airtight atmosphere between the substrate and the vessel (302,106,101 of fig 3); a first temperature adjusting mechanism for adjusting a temperature of the one region of the substrate (311, 312 of fig 3); and a second temperature adjusting mechanism for adjusting a temperature of the other region of the substrate (other 311,312 of fig 3).

With regard to claim 3,

Sato discloses an energization processing method for performing, in a reduced-pressure atmosphere, an energization process on electric conductors which are placed on a substrate, comprising the steps of: covering the electric conductors and one region on a surface of the substrate where the electric conductors are placed with a vessel which has an exhaust hole to

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thereby create an airtight atmosphere between the substrate and the vessel (302 of fig 3); reducing a pressure of the airtight atmosphere (paragraph 108); and heating the other region of the substrate at a temperature higher than the temperature of the one region and energizing the electric conductors (paragraph 111).

With regard to claim 4,

Sato discloses an electron source manufacturing method for energizing, in a reduced-pressure atmosphere, electric conductors which are placed on a substrate to form electron-emitting regions in the electric conductors, comprising the steps of: covering the electric conductors and one region on a surface of the substrate where the electric conductors are placed with a vessel which has an exhaust hole, to thereby create an airtight atmosphere between the substrate and the vessel (302 of fig 3); reducing a pressure of the airtight atmosphere (paragraph 108); and heating the other region of the substrate at a temperature higher than the temperature of the one region and energizing the electric conductors (paragraph 111).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5501928, 6582268, 6514113, 2001/0006869, 2002/0197927, 2002/0022430.

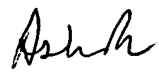
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Raabe whose telephone number is 571-272-8434. The examiner can normally be reached on m-f 7am-3:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR


ASHOK PATEL
PRIMARY EXAMINER